

## Central Valley Regional Water Quality Control Board

26 November 2014

Susan Dell'Osso  
River Islands Development, LLC  
73 W. Stewart Road  
Lathrop, CA 95330

### NOTICE OF APPLICABILITY

#### **WATER QUALITY ORDER 2003-0003-DWQ, STATEWIDE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND WITH A LOW THREAT TO WATER QUALITY, RIVER ISLANDS DEVELOPMENT, LLC, RIVER ISLANDS CONSTRUCTION DEWATERING PROJECT, SAN JOAQUIN COUNTY**

On 3 November 2014, River Islands Development LLC, submitted a Notice of Intent (NOI) to obtain coverage under Water Quality Order No. 2003-0003-DWQ, *Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality* (hereafter General Order) for construction dewatering at the above-referenced site. The submittals contain all the information required to evaluate applicability of the General Order; therefore, the NOI is considered complete. Based on the information provided in the NOI, the discharge meets the conditions of the General Order. The discharge is hereby covered under State Water Resources Control Board General Order 2003-0003-DWQ-0128. Please include this number on all correspondence related to this discharge.

#### **PROJECT LOCATION**

River Islands is a master planned community that will convert approximately 4,900 acres of agricultural land into a mixed-use residential and commercial community. The project is located in the western portion of Lathrop and is bounded by the San Joaquin River to the north and east, Paradise Cut to the west, and Union Pacific Railroad tracks to the south. The development is on level ground at an average elevation of 15 feet above mean sea level (msl). The nearest existing surface water drainage within the project area consists of the San Joaquin River and Paradise Cut, which parallel three-quarters of the perimeter around the planned community. Land use surrounding the River Islands project consists primarily of agricultural areas to the north, west, and south, and the Mossdale residential community to the east.

A *Notice of Determination* for the River Islands development was certified by the City of Lathrop Community Development Department on 29 January 2003. Initial grading and utility infrastructure construction began in 2006. The completed project will disturb approximately 4,900 acres and will consist of 11,000 housing units, 350,000 square feet of office and retail use, municipal services, schools, parks, waterfront recreational access, and land set aside for biological habitat areas. All construction activities conducted within the development is currently being conducted by River Islands LLC, which also owns the property.

The Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition, revised October 2011 (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. Pursuant to §13263(a) of the California Water Code (CWC), waste discharge requirements must implement the Basin Plan.

### PROJECT DESCRIPTION

Initial grading of the property began in 2005, and included the excavation of two lakes in the southeastern portion of the development. Current land development and construction activities will include the excavation of seven additional lakes, beginning in December 2014. The location and sizes of the planned lakes are summarized below:

Lake ID	San Joaquin County APN(s)	Approximate Size (Acres)	Design Depth (feet bgs <sup>1</sup> )
Lake No. 3	213-30-011 and 213-31-12	27.6	28
Lake No. 4	213-31-10	2.2	15
Lake No. 5	213-31-10	2.7	15
Lake No. 6	213-31-10	4.3	15
Lake No. 7	213-31-10 and 312-31-12	12.5	15
Lake No. 8	213-31-09 and 213-31-10	4.0	15
Lake No. 9	213-31-10	9.1	15

<sup>1</sup> Feet below ground surface from rough grading.

Groundwater monitoring is currently conducted at River Islands using a series of monitoring wells associated with recycled water Use Areas regulated under Waste Discharge Requirements (WDRs) and Master Recycling Permit Order R5-2004-2006-0094, which was adopted on 22 September 2006. Groundwater monitoring data indicate that the depth to groundwater near the planned lake excavation areas ranges between 8 and 10 feet below ground surface (bgs).

Because the lakes will be excavated to depths ranging from 15 to 28 feet bgs, dewatering will be necessary. A series of shallow groundwater extraction wells will be installed near each of the planned lake areas and pumped to maintain adequate drawdown during excavation. Dewatering is estimated to range from 2 to 8 million gallons per day and anticipated to take approximately five to six months duration.

Extracted groundwater will be discharged into a bermed discharge evaporation/percolation basin, where it will also be stored for use as dust control during construction activities. The water will not be treated or neutralized. The dewatering discharge area consists of a nearby 86 acre parcel (APN 213-30-06), which is owned by River Islands LLC. The discharge area is surrounded by a four foot high earthen berm. Assuming 2-feet of freeboard, the dimension of the discharge area corresponds to an approximate storage capacity of 750,000 cubic-feet or 56 million gallons.

According to the Soil Survey of San Joaquin County, California<sup>1</sup>, shallow soils in the River Islands development consist of Columbia sandy loam, Dello sandy loam, and Egbert silty clay. These soil types are relatively poorly drained and have percolation rates ranging from 0.06 inches per hour to 0.2 inches per hour. This range corresponds to an estimated percolation rate ranging from 1 gallon per square foot per day (gal/ft<sup>2</sup>/day) to 3 gal/ft<sup>2</sup>/day, or approximately 11.2 million gallons per day. Based on these calculations, the discharge area will provide sufficient storage and disposal capacity for the dewatering project.

The discharge area will be regularly monitored during dewatering operations. If the discharge area approaches storage capacity, River Island Development LLC will provide additional containment to prevent over-flow conditions until the water can be utilized as part of planned construction activities. An additional 177 acres of fallow agricultural land is also available for dewatering discharge, if needed.

### **FACILITY-SPECIFIC REQUIREMENTS**

The General Order and this Notice of Applicability regulates construction dewatering and reuse of the treated water at the River Island Development Project.

1. Water generated during construction dewatering shall be disposed of as described in the Notice of Intent and in accordance with the requirements contained in the General Order.
2. Construction dewatering discharge at a location or in a manner different from that described in the Notice of Intent or this Notice of Applicability is prohibited.
3. All technical reports required herein that involve evaluation, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, section 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
4. Monitoring results shall be submitted on a semi-annual basis in accordance with the General Order's Monitoring and Reporting Program.
5. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the Notice of Applicability is officially terminated.
6. Failure to abide by the conditions of the General Order, including its monitoring and reporting requirements, and this letter authorizing applicability could result in enforcement actions, as authorized by provisions of the California Water Code.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the proposed facility and discharge. If the Discharger violates the terms or conditions of the General Order, the Central Valley Water Board may take enforcement action, including assessment of administrative civil liability. Failure to comply with the requirements in the Order could result in an enforcement action as authorized by provisions of the California Water Code. Discharge of wastes other than those described in the RWD is prohibited.

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<sup>1</sup> US Department of Agriculture Soil Conservation Service, 1990.

River Islands Development LLC will generate the waste subject to the terms and conditions of the General Order and will maintain exclusive control over the discharge. As such, River Islands Development LLC is primarily responsible for compliance with the General Order. As required under Standard Provision E.6 of the General Order:

*“In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of these General WDRs by letter, a copy of which shall be immediately forwarded to the appropriate Regional Board office. The discharger shall also submit a Notice of Termination (Attachment No. 4 to these General WDRs) to the appropriate Regional Board.”*

The required annual fee specified in the annual billing from the State Water Board shall be paid until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by this Order ceases so that coverage under the General Order can be terminated and to avoid unnecessary billing.

Please note that all letters, documents, and other materials that you would normally submit to us as hard copies must now be submitted in a searchable Portable Document Format (PDF). Documents that are less than 50 MB should be emailed to:

[centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov)

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to “ECM Mailroom” at the letterhead address provided on this letter. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any correspondence used to transmit documents to this office:

River Islands Development, LLC, San Joaquin County	
Program: Non-15	Order: 2003-0003-DWQ-0128

Upon issuance of this Notice of Applicability, the Central Valley Water Board’s Compliance and Enforcement section will take over management of this case. Brendan Kenny is your new point of contact for any questions about this Order. In addition, all monitoring and technical reports should be submitted to him. The enclosed transmittal sheet shall be included with each monitoring report. If you find it necessary to make a change to your permitted operations as described in this NOA, Mr. Kenny will direct you to the appropriate Permitting staff. You may contact Mr. Kenny at (916) 464-4635 or at [bkenny@waterboards.ca.gov](mailto:bkenny@waterboards.ca.gov).

*Original signed by Adam Laputz for:*

PAMELA C. CREEDON  
Executive Officer

Enclosures: Water Quality Order No. 2003-0003-DWQ  
Monitoring Report Transmittal Form

cc: Rodney Estrada, San Joaquin County Environmental Health Department, Stockton  
Randy Ludwig, ENGeo, Ripon